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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/775,502 | 02/05/2001 | Jacob Aizikowitz | P-3016-US | 8471 |
| 49443 | 7590 | 05/02/2006 | EXAMINER | |
| PEARL COHEN ZEDEK, LLP 1500 BROADWAY 12TH FLOOR NEW YORK, NY 10036 | | | SAIN, GAUTAM | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2176 | |

DATE MAILED: 05/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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|------------------------------|--------------------------------------|--|--|
| Office Action Summary | Application No. 09/775,502 | Applicant(s) AIZIKOWITZ ET AL. | |
| | Examiner Gautam Sain | Art Unit 2176 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-9,12-17 and 30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-9,12-17, and 30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

- 1) This is a Final Rejection in response to the Amendments/Remarks filed on 2/6/2006.
- 2) Claims 1,2,4-9,12-17, and 30 are pending and rejected; Claims 3, 10, 11, 18-29 were previously cancelled by the Applicant. Applicant labeled claim 30 as "(NEW)", but it should be labeled "(Previously Presented)" because claim 30 was previously presented in a response by The Applicant on 7/25/2005. For purpose of examination, the Examiner proceeds as if the claim is labeled "previously presented".
- 3) Effective Filing Date is 2/3/2000.

Claim Rejections - 35 USC § 103

- 4) The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4-11
4-1) Claims 1, 2, 4-9 and 12-17^{and 30} are rejected under 35 U.S.C. 103(a) as being unpatentable over Orr et al (US 589547, issued Apr 20, 1999), in view of Mohr et al (US 6826727, filed Nov 1999).

Claims 1, 12, *Mohr teaches providing a dynamic document template including logic component and a layout section, wherein said logic component includes at least one dynamic object, a data table defining schema for at least one data set, and at least one rule for resolving said dynamic object based on said data table. For example, Mohr discloses a method for automatically laying out documents, where contents of files can*

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have contents dynamically mapped into an area template container that is a variable element (col 14, lines 32-35). The Examiner interprets Mohr's variable elements as equivalent to dynamic objects. Mohr further discloses a profile database as a single table comprising of a plurality of profile records, including a plurality of fields (col 13, lines 1-5), where the content mapping rules map the value of a single field in a profile database into a corresponding variable element in a template (col 13, lines 7-12; Fig 44, see description in col 7, lines 42-45). The Examiner interprets Mohr's content mapping rules map as equivalent to the claimed schema since both are geared towards mapping data according to mapping rules, and Mohr's disclosure of mapping corresponding variable elements in a template in a database as equivalent to the claimed resolving of dynamic objects based on a table.

Mohr teaches *wherein said section includes at least one layout object, said layout object having at least one area associated with a dynamic object*. For example, Mohr discloses a system for layout out documents that can automatically adjust layout process (col 2, lines 41-49; see also col 9, line 57, 'layout routine').

Mohr does not expressly teach '*dynamic objects*', but Mohr does teach variable content elements that are dynamically mapped into an area template (col 14, lines 32-35).

It would have been obvious to one of ordinary skill in the art at the time of the invention to interprets Mohr's disclosure of variable content elements that are dynamically mapped into an area template as equivalent to dynamic content, providing the benefit of laying out documents that can automatically adjust the layout process in a

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flexible and appropriate manner to changes in the size of contents placed inside document elements (Mohr, col 2, lines 41-45).

Claim 2, Mohr teaches comprising binding an instance set to dynamic document template, defining a plurality of documents differing from each other based on said instances set. For example, in the Job Setup dialog box, used to define a job with various templates and variable values (col 7, lines 42-45; Fig 44, items 362, 364). The Examiner interprets the teaching of more than one *job* is equivalent to having document instance sets that are differing, where each job can have a selection of templates within the job. The Examiner interprets Mohr's disclosure of mapping variable values as equivalent to claim language of binding.

Claims 4, 15, Mohr suggests *said data table includes schema for at least one database and schema for at least one media source*. For example, schematically, a user creates project files with content-mapping rules for mapping variable values into variable elements of the database (col 12, lines 40-46).

Claims 5, 17, Mohr teaches a set of native format layout objects of a layout tool indicated by type of said document. For example, Mohr discloses different custom versions of a variable documents in response to data sets, where variable elements used in a variable data publishing system have an associated content type (col 4, lines 56-66). The Examiner interprets the customized versions of documents is equivalent to a native format because the user is customizing according to their own format and not one that is provided by the vendor.

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Claims 6, 13, Mohr teaches at least one rule is defined in terms of Relational Algebra.

For example, Mohr discloses that the layout process with try to minimize or maximize values for flex-height behavior by the size of the shapes contents plus the shapes internal top and bottom margin attribute values (col 18, lines 44-50). The examiner interprets the calculations described by the layout process are algebraic because the values of the formula presented will be presented at run time to calculate a result.

Claims 7, 14, Mohr teaches dynamic objects comprise a storage system for content items. For example, Mohr discloses an area of template file where the contents dynamically mapped into an area template that is a variable element (col 14, lines 29-35). The Examiner interprets the remainder of the claim, *said storage system being operable to ... with an actual item*, as non limiting language for intentional use since the claimed invention is not limited to the storage system receiving requests for items in a format of a reference and to reply with an actual item. The Examiner asserts that Mohr's disclosure of the area template file is operable to provide the similar functionality to the user, upon user's selection of variable elements for a given job (see Fig 44).

Claims 8, 16, Mohr suggests *said data table defines a schema for at least one Relational Database*. For example, schematically, a user creates project files with content-mapping rules for mapping variable values into variable elements of the database, which contains fields (col 12, lines 40-46).

Claim 9, Mohr binding comprises the step of assigning said instance set to said data table. For example, in the Job Setup dialog box, used to define a job with various templates and variable values (col 7, lines 42-45; Fig 44, items 362, 364). The

Examiner interprets the teaching of more than one *job* is equivalent to having document instance sets that are differing, where each job can have a selection of templates within the job. The Examiner interprets Mohr's disclosure of mapping variable values as equivalent to claim language of binding.

Claim 30, Mohr suggests binding comprises mapping elements of said instances set to elements of said data table. For example, Mohr discloses a profile database as a single table comprising of a plurality of profile records, including a plurality of fields (col 13, lines 1-5), where the content mapping rules *map* the value of a single field in a profile database into a corresponding variable element in a template (col 13, lines 7-12; Fig 44, see description in col 7, lines 42-45). The Examiner interprets Mohr's content mapping rules map as equivalent to the claimed schema since both are geared towards mapping data according to mapping rules, and Mohr's disclosure of mapping corresponding variable elements in a template in a database as equivalent to the claimed resolving of dynamic objects based on a table.

Response to Arguments

Applicant's arguments filed 2/6/06 have been fully considered but they are not persuasive.

First, the Applicant challenges the previous rejections under 35 U.S.C. 103(b) (see Remarks section). The Examiner respectfully notes that there were no rejections under 35 U.S.C. 103(b), instead the previous office action by the USPTO contained rejections under 35 U.S.C. 103(a). The Examiner assumes that this was a typographical mistake by the Applicant. Please clarify, if needed.

Regarding claims 1 and 12, Applicant argues **that Mohr does not disclose “at least one rule for resolving said dynamic object based on said data table,”** (Remarks, page 3, top) **and a logic component that “includes ... a data table defining schema for at least one data set”** (Remarks, page 3, bottom). The Examiner disagrees, Mohr discloses a method for automatically laying out documents, where contents of files can have contents dynamically mapped into an area template container that is a variable element (col 14, lines 32-35). Additionally, Mohr discloses a profile database as a single table comprising of a plurality of profile records, including a plurality of fields (col 13, lines 1-5), where the content mapping rules map the value of a single field in a profile database into a corresponding variable element in a template (col 13, lines 7-12; Fig 44, see description in col 7, lines 42-45). The Examiner interprets Mohr’s content mapping rules map as equivalent to the claimed schema since both are geared towards mapping data according to **mapping rules**, and Mohr’s disclosure of mapping corresponding variable elements in a template in a database as equivalent to the claimed resolving of dynamic objects based on a table.

Applicant argues **that Mohr does not teach at least one rule for resolving said dynamic object based on said data table, as claimed in claims 1 and 12** (Remarks, page 4, top). The Examiner disagrees. For example, Mohr discloses a method for automatically laying out documents, where contents of files can have **contents dynamically mapped** into an area template container that is a variable element (col 14, lines 32-35). The Examiner interprets Mohr’s variable elements as equivalent to dynamic objects because mapping of different variables into a given

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template that results from selecting different profile records in a given job can cause substantial changes in the appearance of a template (col 14, lines 21-28). These variations present dynamic results.

Regarding Applicant's arguments for claims 6 and 13, the Applicant argues claimed limitations of amended claims 1 and 12, and the arguments are substantially similar to the first argument presented above by the Applicant (Remarks, page 4, bottom). In response, the Examiner asserts similar lines of arguments for claims 6 and 13 as the arguments above for claims 1 and 12. The Examiner withdraws the need of the Li reference and asserts a rejection under the primary reference Mohr, which is necessitated by the amended to claims 1, 6, 12 and 13.

Regarding Applicant's arguments for claims 6 and 13, the Applicant argues the rejection under the Poole reference (Remarks, page 5, top), but refers back to the claim limitations of claim 1 (Remarks, page 5, middle). It is respectfully noted that the Poole reference was used to reject claim 9 and not claims 6 and 13, and The Examiner assumes that this was a typographical mistake by the Applicant and the Examiner addresses the argument as if it was for claim 9. Please clarify, if needed. In response to Applicant's arguments, the Examiner asserts similar lines of arguments for claim 9 as the arguments above for claims 1 and 12. The Examiner withdraws the need of the Poole reference and asserts a rejection under the primary reference Mohr, which is necessitated by the amended to claims 1, 9 and 12.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gautam Sain whose telephone number is 571-272-4096. The examiner can normally be reached on M-F 9-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GS 4/26/06

GS


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